

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

AiPi, LLC,

Movant,

v.

NETFLIX, INC.,

Respondent.

Civ. Action No. 1:24mc2 (LMB/WEF)

ORDER

This matter is before the Court on Netflix Inc.'s ("Netflix") Motion for Civil Contempt [Dkt. No. 51] (the "Motion"). Upon consideration of the Motion, the Memorandum in Support, the Opposition, and the Reply, it is hereby ORDERED:

1. A ruling on Netflix Inc.'s Motion for Civil Contempt [Dkt. No. 51] be, and the same hereby is, DEFERRED for a period to be determined;

2. Netflix is entitled to full and complete discovery, including:

- a. Production of the sixty-eight (68) documents listed on AiPi's Privilege Log currently in possession of counsel for AiPi by 5:00 p.m. on Monday, January 27, 2025;
- b. A full and complete production responsive to Netflix's subpoena to be conducted via forensic discovery by a neutral third party vendor, including the imaging of all devices used by AiPi from, at least, June 1, 2021 to the present that are within the possession or control of AiPi, including but not limited to the computer of Mr. Morehouse, to be commenced within five (5) business days of this Order. To the extent the forensically imaged device(s) do not contain

email files of members of AiPi from, at least, June 1, 2021 to the present, the forensic discovery shall include discovery from AiPi's email servers;

- c. Netflix shall provide to the forensic discovery vendor an initial list of search terms. The parties shall work in good faith to reach an agreed upon set of search terms and shall submit those search terms to the Court by January 29, 2025. Based upon any recommendation from the vendor, Netflix may submit a second set of search terms not to exceed five additional search terms for which AiPi may object;
- d. The forensic discovery vendor shall provide to AiPi all responsive information. The parties shall immediately meet and confer on a timeframe for AiPi's review once the documents have been provided to AiPi, and AiPi shall then review the responsive information and inform any persons it believes may have claims to privilege over responsive information and that any objections based on privilege must be filed in this Court. Said persons will have seven (7) business days to provide notice to the Court that they object to production based on privilege and the Court will order a hearing thereon in person;
- e. Netflix shall be initially responsible for the costs of the third-party forensic-imaging services, without prejudice to a later request by Netflix for AiPi to bear the costs or other such relief;
- f. Discovery into AiPi's use of Netflix's AEO financial information; and
- g. A deposition of AiPi's corporate representative, Mr. Morehouse, pursuant to Fed. R. Civ. P. 30(b)(6), covering the topics in Netflix's subpoena at a time agreed to by counsel. Netflix may seek additional depositions upon showing of reasonable need.

So Ordered

/s/ JMB

Leonie M. Brinkema
United States District Judge

1/27/25